

OCT 01 2019



TOWN OF AMENIA

Amenia Town Clerk

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TOWN OF AMENIA PLANNING BOARD

Resolution # 18 for 2019

Resolution Granting Site Plan Approval for a Guest House at Bel-Aire Farms

September 24, 2019

WHEREAS, Bel-Aire Farm, Inc. (together, the "Applicant") are the owners of approximately 339 acres of land located at 21-2 Bel Air Farm Road in Amenia, New York (the "Property") which is situated in the Rural Agriculture (RA) Zoning District and Scenic Protection Overlay (SPO) Districts; and

WHEREAS, pursuant to Section 121-14.1(D)(1) of the Town of Amenia Zoning Code (the "Zoning Code"), "site plan approval shall be required for ... construction of any structure or any addition to a structure where the size of the new structure or addition will be greater than 500 square feet in footprint area, including residential structures"; and

WHEREAS, on or around July 8, 2019, the Applicant submitted an application to the Planning Board seeking a Site Plan Approval to allow for the construction of a 5,439 SF guest house and related improvements as an accessory structure to the main house on the Property (the "Project"); and

WHEREAS, the documents submitted by the Applicant as part of its application consisted of, among other things, (1) a Land Use Application; (2) Site Plan prepared by Rennia Engineering Design PLLC; (3) Short Environmental Assessment Form ("SEAF"); (4) Agricultural Data Statement; (5) Photo Simulations; (6) the requisite filing fee and escrow amount for the application; and (7) a variety of additional documentation (the "Application"); and

WHEREAS, the Planning Board reviewed and considered all of the above referenced documents submitted by the Applicant as part of its Application; and

WHEREAS, the Planning Board has determined that the Project qualifies as a minor project pursuant to Section 121-60(C)(1) of the Zoning Code; and

WHEREAS, the Project is a Type II action under the State Environmental Quality Review Act ("SEQRA") because it entails the construction of a single-family guest house on an approved lot; and

WHEREAS, in accordance with Section 121-67(D) of the Zoning Code, the Planning Board determined that no public hearing was required for this minor project site plan; and

WHEREAS, the Planning Board has determined that the Project requested in the Application will comply with all Zoning district, overlay district, and other specific requirements of the Zoning Code and other chapters and regulations of the Town Code, and will be consistent with the purposes of the Zoning Code and the RA Zoning District and applicable overlay districts; and

WHEREAS, the Planning Board has determined that the Project requested in the Application will comply with the applicable site plan criteria in Section 121-65(D) of the Zoning Code and will not adversely affect neighboring properties; and

WHEREAS, the Planning Board's determinations outlined above are based on the Applicant's representations contained in all of the Application materials submitted to the Planning Board and the Applicant's compliance with the Town of Amenia Code including the Zoning Code; and

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Section 121-65 of the Town's Zoning Code, the Planning Board hereby approves the Site Plans, titled:

- (i) Sheet 1 – "Bel-Aire Farm – Guest House Overall Site Plan";
- (ii) Sheet 2 – "Bel-Aire Farm – Guest House Site Plan", and
- (iii) Sheet 3 – "Bel-Aire Farm – Guest House Site Details"

prepared by Rennia Engineering PLLC, dated June 20, 2019 (last revised September 18, 2019)(the "Approved Site Plans") subject to the following conditions:

- (1) The Applicant shall pay all of the outstanding invoices for the Planning Board's consultants prior to the signing of the Approved Site Plans by the Planning Board Chairman and prior to the issuance of a building permit by the Building Inspector.
- (2) Prior to the issuance of a building permit for the proposed guest house, the Applicant shall obtain and provide copies of the necessary permits/approvals from the Dutchess County Department of Behavioral and Community Health for the private water and septic systems.
- (3) Prior to the issuance of a building permit, the Applicant shall install a knox box on the main entry gate to allow for fire department access in the event of an emergency.

- (4) At all times, the Applicant shall comply with the Approved Site Plans including, without limitation, all notes set forth on the plans.

BE IT FURTHER RESOLVED, that the Planning Board hereby authorizes the Planning Board Chairperson to stamp and sign the Approved Site Plans upon the Applicant's compliance with all applicable conditions; and

BE IT FURTHER RESOLVED, that in accordance with Section 121-68(E) of the Town's Zoning Code: (1) this site plan approval shall expire if the Applicant fails to commence construction, to obtain the necessary Building Permits, or fails to comply with the conditions of the site plan approval within 18 months of its issuance. The Planning Board may grant a one-time six-month extension; (2) this site plan approval may be revoked by the Planning Board if the Applicant violates the site plan approval or its conditions or engages in any construction or alteration not authorized by the site plan approval; (3) any violation of the site plan approval or its conditions shall be deemed a violation of the Zoning Code and shall be subject to enforcement action; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be filed in the office of the Town of Amenia Town Clerk within five (5) days of the date of this Resolution, and shall be mailed to the Applicant within the same five (5) day period.

The foregoing resolution was voted upon with all members of the Planning Board voting and signing as follows:

Motion By: Mat

Second By: Pete

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>	<u>Signature</u>
Robert Boyles, Chairperson	✓				
Anthony Robustelli	✓				
Peter Clair	✓				
Matthew Deister	✓				
Erich McEnroe				✓	
Walter Brett				✓	

John Stefanopoulos

✓

Dated: September 24, 2019
Amenia, New York


Robert Boyles, Planning Board Chair